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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
4

5 Hilda Santos Caballero,

6 Plaintiff,

7 v.

8 Sam's West Inc., dba Sam's Club, *et al.*,

9 Defendants.  
10

Case No.: 2:22-cv-01183-CDS-DJA

**Order Granting Plaintiff's  
Motion to Remand**

(ECF No. 5)


11 Plaintiff Hilda Santos Caballero brought this action, related to a slip and fall incident at  
12 a Las Vegas area Sam's Club, in the Eighth Judicial District Court, Clark County, Nevada. *See*  
13 ECF No. 1-4. Defendant Sam's West, Inc. removed this case to this court, on the basis of  
14 diversity jurisdiction, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. ECF No. 1.

15 Plaintiff filed a motion to remand (ECF No. 5) on August 8, 2022. Any opposition to the  
16 motion was due on August 22, 2022. *See* ECF No.; *see also* LR 7-2(b) (the deadline to file and  
17 serve any points and authorities in response a motion is 14 days after service of the motion.).  
18 Local Rule 7-2(d) provides that failure of an opposing party to file points and authorities in  
19 response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees,  
20 constitutes a consent to the granting of the motion. Defendant failed to file an opposition to the  
21 motion to remand.

22 Accordingly, IT IS HEREBY ORDERED that:  
23  
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- Plaintiff's Motion to Remand [ECF No. 5] is GRANTED.
- The Clerk of Court is directed to REMAND this case back to the Eighth Judicial District Court, Department 29, Case No. A-22-846184-C and CLOSE THIS CASE.

DATED: August 24, 2022.



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Cristina D. Silva  
United States District Judge